

**REMARKS**

Claims 1-17 are pending in this application, of which claims 4-11 have been withdrawn from consideration pursuant to the provisions of 37 C.F.R. § 1.142(b).

In this Amendment, claims 1, 3, 12, 16, and 17 have been amended, and claims 2, 14, and 15 cancelled. Care has been exercised not to introduce new matter. Specifically, independent claims 1 and 12 have been amended based on dependent claims 2 and 14, respectively.

Claims 1, 3, 12, 13, 16, and 17 are now active in this application, of which claims 1 and 12 are independent.

**REJECTION OF CLAIMS UNDER 35 U.S.C. §103**

Claims 1-3 and 12-17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Blumenau et al. (U.S. Patent No. 6,260,120, hereinafter “Blumenau”) in view of McClannahan (U.S. Patent No. 6,438,670, hereinafter “McClannahan”) and further in view of Kitahara et al. (U.S. Patent No. 7,082,539, hereinafter “Kitahara”).

Applicants submit that Blumenau, McClannahan, and Kitahara, individually or in combination, do not disclose or suggest a host device including all the limitations as recited in independent claim 1. Specifically, the applied combination does not teach, among other things, the controller obtains information for estimating time necessary to execute the command from the storage device prior to the issuance of the command, ... wherein the information for estimation includes any one of a typical processing time, an average processing time, and a maximum processing time necessary to execute the command,” as recited in claim 1.

The Examiner specifically asserted that McClannahan teaches “the controller obtains information for estimating time necessary to execute the command... (column 3: lines 22-33; column 5: lines 12-25; column 6: lines 5-25; The memory storage device of the type having a

predetermined timing parameter that defines a minimum delay between the first and second memory control operations)” See page 4 of the Office Action.

Applicants understand that the Examiner identified the timing parameter of McClannahan as the claimed information for estimating time. Applicants invite the Examiner’s attention to the following description of McClannahan:

Memory storage devices typically have one or more timing characteristics that define the minimum delays that one must wait before performing certain operations with the devices. Timing parameters, related to such characteristics, are thus defined for specific memory storage device implementations. These timing parameters are often limited by the physical structures of the devices, and are defined by the designers of the devices to ensure reliable operation of the devices. As but one example, one type of memory storage device, a dynamic random access memory (DRAM) device, requires that circuitry within the device be "precharged" for at least a predetermined time before data can be read from the device. Should the timing parameter associated with this characteristic for a specific memory storage device implementation not be met, errors may occur in the device, which could jeopardize the validity of the data.

Column 1, lines 45-60 (emphasis added). McClannahan describes that the timing parameter relates to a timing characteristic (delay characteristic), is limited by the physical structure of a memory storage device, and is defined by the designers of the device to ensure reliable operation of the device.

In contrast, the claimed information is used for estimating time necessary to execute the command from the storage device. It is apparent that the timing parameter of McClannahan which is a minimum delay that one must wait is different from the claimed information.

According to claim 1, the claimed information includes any one of a typical processing time, an average processing time, and a maximum processing time necessary to execute the command.

Applicants further submit that Blumenau, McClannahan, and Kitahara do not disclose or suggest a host device comprising an second encryption unit configured to perform a host-device side process of a series of cryptographic processing, and also comprising a controller which

issues to a removable storage device a command for causing a procedure to be executed in a first encryption unit of the removable storage device, wherein the controller sets a wait time for the command based on the obtained information, issues the command to the storage device, releases the bus for another command, and waits the time set for the command before it issues a command for the next procedure to the storage device.

Based on the foregoing, Blumenau, McClannahan, and Kitahara, individually or in combination, do not disclose or suggest a host device including all the limitations as recited in independent claim 1. The above discussion is applicable to independent claim 12 because the claim recites limitations similar to the above-discussed limitations of claim 1. Dependent claims 3, 13, 16, and 17 are also patentably distinguishable over Blumenau, McClannahan, and Kitahara at least because these claims respectively include all the limitations as recited in independent claims 1 and 12. It is noted that the rejection of claims 2, 14, and 15 has been rendered moot by the cancellation of those claims. Applicants, therefore, respectfully solicit withdrawal of the rejection of the claims and favorable consideration thereof.

### **Conclusion**

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

**Application No.: 10/809,789**

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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